

Form 5

RULES OF CIVIL PROCEDURE

**FORM 5. COMPLAINT ON
AN OPEN ACCOUNT**

1. Defendant owes plaintiff _____ dollars due by open account.

Wherefore, (etc. as in Form 3).

**FORM 6. COMPLAINT ON
ACCOUNT STATED**

1. Defendant owes plaintiff _____ dollars on an account stated between the plaintiff and defendant on the _____ day of _____.

Wherefore, (etc. as in Form 3).

**FORM 7. COMPLAINT FOR GOODS
SOLD AND DELIVERED**

1. Defendant owes plaintiff _____ dollars for goods sold and delivered by plaintiff to defendant between the _____ day of _____ and the _____ day of _____.

Wherefore, (etc. as in Form 3).

Committee Comments

This form may be used where the action is for an agreed price or for the reasonable value of the goods.

**FORM 8. COMPLAINT FOR WORK
AND LABOR DONE**

1. Defendant owes plaintiff _____ dollars for work and labor done for the defendant by the plaintiff on the _____ day of _____, at defendant's request.

Wherefore, (etc. as in Form 3).

**FORM 9. COMPLAINT FOR
MONEY LENT**

1. Defendant owes plaintiff _____ dollars for money lent by plaintiff to defendant on or about the _____ day of _____.

Wherefore, (etc. as in Form 3).

**FORM 10. COMPLAINT FOR MONEY
PAID BY MISTAKE**

1. Defendant owes plaintiff _____ dollars for money paid by plaintiff to defendant by mistake on or about the _____ day of _____, under the following circumstances:

[here briefly state the circumstances]

Wherefore, (etc. as in Form 3).

**FORM 11. COMPLAINT FOR MONEY
HAD AND RECEIVED**

1. Defendant owes plaintiff _____ dollars for money had and received from one G.H. on or about the _____ day of _____, to be paid by defendant to plaintiff.

Wherefore, (etc. as in Form 3).

**FORM 12. COMPLAINT FOR MONEY
PAID BY PLAINTIFF FOR
DEFENDANT**

1. Defendant owes plaintiff _____ dollars because of money paid by the plaintiff for the defendant on or about the _____ day of _____ at defendant's request.

Wherefore, (etc. as in Form 3).

**FORM 13. COMPLAINT ON A POLICY
OF LIFE INSURANCE**

1. On or about the _____ day of _____, defendant issued a policy whereby the defendant insured the life of E.F. who died on the _____ day of _____, of which the defendant has had notice.

2. As a result, the amount of the policy is now due and the plaintiff is the beneficiary of the proceeds of the policy.

Wherefore, (etc. as in Form 3).

**FORM 14. COMPLAINT ON A POLICY
OF FIRE INSURANCE**

1. On or about the _____ day of _____, defendant insured plaintiff's dwelling house (or other property, as the case may be) against loss or injury by fire and other perils in a policy of insurance, for the term of _____ years.

2. The house (or other property) was wholly destroyed (or was damaged) by fire on the _____ day of _____, of which the defendant has had notice.

Wherefore, (etc. as in Form 3).

**FORM 15. COMPLAINT ON A POLICY
OF MARINE INSURANCE**

1. On or about the _____ day of _____, the defendant insured certain goods against loss or injury by the perils of the seas, and other perils in a policy of insurance from the Port of New York to the Port of Mobile, on board the bark Neptune.

2. The goods were wholly lost by the shipwreck of the vessel on her voyage, of which the defendant has had notice.

Wherefore, (etc. as in Form 3).